



PATENT #5

Docket No.: 81762/280

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Craig H. Baker, Clyde T. Carter,
Alexander S. Fater, Urs F. Nager,
Christopher Palagi, Christine M. Svelnis,
and Mark A. Wojcicki)
Examiner:)
Unknown)
Art Unit:)
2833)
Serial No. : 09/375,114)
Cnfrm. No. : To Be Assigned)
Filed : August 16, 1999)
For : ELECTRICAL SOCKET CONTACT WITH)
TINES))

PETITION TO REVIVE UNINTENTIONALLY ABANDONED
APPLICATION UNDER 37 CFR § 1.137(b)

Attention: Office of Petitions
U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202
Box: DAC

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SEP 10 2002

OFFICE OF PETITIONS

Dear Sir:

Pursuant to 37 CFR § 1.137(b), Applicants hereby petition to revive the above-identified application. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional.

The above-identified patent application was filed on August 16, 1999 on behalf of the Applicants by Richard J. Birch (Declaration of Mark A. Wojcicki, ¶2). At that time, Richard J. Birch was the patent attorney representing Applicants' employer, Anderson Interconnect, Inc. (Declaration of Mark A. Wojcicki, ¶3). The above-identified patent application was filed without an Oath or Declaration and without a filing fee. A Notice To File Missing Parts Of Application for the above-identified patent application was mailed by the U.S. Patent and Trademark Office ("Office") on September 8, 1999 requesting the Oath or Declaration and the filing fee. A reply to the Notice To File Missing Parts Of Application was never received by the Office, so a Notice of Abandonment for the above-identified patent application was mailed by the Office on September 1, 2000.

In the Spring of 2002, Nixon Peabody LLP was requested to represent Applicants' employer, Anderson Power Products (Declaration of Gunnar G. Leinberg, ¶2). Anderson

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Power Products' patent files, including the above-identified patent application, were transferred to Nixon Peabody LLP from Richard J. Birch, Applicant's former patent attorney (Declaration of Gunnar G. Leinberg, ¶3). At a meeting in May of 2002 to discuss the status of intellectual property law matters, Applicants first became aware that the above-identified patent application had become abandoned (Declaration of Mark A. Wojcicki, ¶6). Until that time, Applicants believed the above-identified patent application was still pending before the Office (Declaration of Mark A. Wojcicki, ¶7). Applicants did not know that a Notice To File Missing Parts Of Application or a Notice of Abandonment for the above-identified patent application had been mailed by the Office (Declaration of Mark A. Wojcicki, ¶8). Shortly thereafter, Applicants requested that a petition be filed to revive the above-identified patent application be prepared and filed (Declaration of Mark A. Wojcicki, ¶9).

Beginning in June of 2002, Applicant's attorney, Gunnar G. Leinberg, began to gather the necessary information to respond to the outstanding Notice To File Missing Parts Of Application (Declaration of Gunnar G. Leinberg, ¶6). Additionally, Applicant's attorney, Gunnar G. Leinberg, located and contacted applicant's former attorney, Richard J. Birch, to inquire about the underlying facts and circumstances regarding the abandonment of the above-identified patent application (Declaration of Gunnar G. Leinberg, ¶7). In response to our inquiry, in early August of 2002 Applicant's former attorney, Richard J. Birch, stated that there was no express abandonment of the above-identified patent application nor did he receive any instructions from his former client to abandon the above-identified patent application (Declaration of Gunnar G. Leinberg, ¶8). Accordingly, in view of this unintentional abandonment, Applicants respectfully request the Office to revive the above-identified patent application.

Enclosed herewith is a check for \$640.00 to cover the petition fee pursuant to 37 CFR § 1.17(m). Please charge any additional necessary fees or credit any overpayment to our Deposit Account No. 14-1138. Should any further questions arise concerning the above-identified patent application, the Office is invited to call Applicants' attorney at the number listed below.

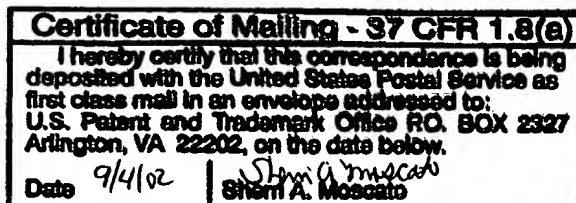
Respectfully submitted,

Dated: September 4, 2002

Gunnar G. Leinberg
Gunnar G. Leinberg
Registration No. 35,584

NIXON PEABODY LLP
Clinton Square, P.O. Box 31051
Rochester, New York 14603
Telephone: (585) 263-1014
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THE UNITED STATES PATENT AND TRADEMARK OFFICE

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DECLARATION OF GUNNAR G. LEINBERG

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Arlington, VA 22202
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Dear Sir:

I, Gunnar G. Leinberg, declare:

1. I am a registered patent attorney with the law firm of Nixon Peabody LLP.
2. In the Spring of 2002, Nixon Peabody LLP was requested to represent Applicants' employer, Anderson Power Products.
3. In conjunction with this Anderson Power Products' patent files, including the above-identified patent application, were transferred to Nixon Peabody LLP from Richard J. Birch, Applicant's former patent attorney.
4. At a meeting at Anderson Power Products in May of 2002 to discuss the status of intellectual property law matters, we learned that Applicants were not aware that the above-identified patent application had become abandoned.

5. Shortly thereafter, Anderson Power Products requested us to prepare and file a petition to revive the above-identified patent application.

6. Beginning in June of 2002, we began to gather the necessary information to respond to the outstanding Notice To File Missing Parts Of Application for the above-identified patent application.

7. Additionally, we located and contacted applicant's former attorney, Richard J. Birch, to inquire about the underlying facts and circumstances regarding the abandonment of the above-identified patent application.

8. In response to our inquiry, in early August of 2002 Applicant's former attorney, Richard J. Birch, told us there was no express abandonment of the above-identified patent application and he did not receive any instructions from his former client to abandon the above-identified patent application.

9. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: September 4, 2002

Gunnar G. Leinberg
Gunnar G. Leinberg

Certificate of Mailing - 37 CFR 1.8(a)	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: U.S. Patent and Trademark Office P.O. BOX 2327 Arlington, VA 22202, on the date below.	
Date <u>9/4/02</u>	<u>Sherril A. Moscato</u> Sherril A. Moscato



PATENT
Docket No.: 81762/280

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	Craig H. Baker, Clyde T. Carter, Alexander S. Fater, Urs F. Nager, Christopher Palagi, Christine M. Svelnis, and Mark A. Wojcicki)	Examiner:
)	Unknown
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Serial No.	:	09/375,114)	
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DECLARATION OF MARK A. WOJCICKI

Attention: Office of Petitions
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P.O. Box 2327
Arlington, VA 22202
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OFFICE OF PETITIONS

Dear Sir:

I, Mark A. Wojcicki, declare:

1. I am the Director of Research and Development at Anderson Power Products and one of the named inventors for the above-identified patent application.
2. The above-identified patent application was filed on August 16, 1999 on behalf of the Applicants by Richard J. Birch.
3. At that time, Richard J. Birch was the patent attorney representing Applicants' employer, Anderson Interconnect, Inc.
4. In the Spring of 2002, Nixon Peabody LLP began to represent Anderson Power Products.
5. In conjunction with this Anderson Power Products' patent files, including the above-identified patent application, were transferred to Nixon Peabody LLP from Richard J. Birch, Applicant's former patent attorney.

6. At a meeting in May of 2002 to discuss the status of intellectual property law matters, to the best of my knowledge the Applicants first became aware that the above-identified patent application had become abandoned.

7. Prior to that meeting, to the best of my knowledge the Applicants believed the above-identified patent application was still pending before the U.S. Patent and Trademark Office ("Office").

8. To the best of my knowledge, the Applicants were not aware that a Notice To File Missing Parts Of Application and/or a Notice of Abandonment for the above-identified patent application had been mailed by the Office.

9. Shortly after that meeting, I requested that Nixon Peabody LLP prepare and file a petition to revive the above-identified patent application.

10. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 8-9-02

Mark A. Wojcicki
Mark A. Wojcicki

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: U.S. Patent and Trademark Office P.O. BOX 2327 Arlington, VA 22202, on the date below.	
Date <u>9/4/02</u>	<u>Sherri A. Moscato</u> Sherri A. Moscato